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10/073,599	02/11/2002	Koichiro Daigo	02078/LH	5934

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FRISHAUF, HOLTZ, GOODMAN & CHICK, PC
220 Fifth Avenue
16TH Floor
NEW YORK, NY 10001-7708

EXAMINER
NGUYEN, LUONG TRUNG

ART UNIT	PAPER NUMBER
2622	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

		Application No.	**Applicant(s)**
		10/073,599	DAIGO ET AL.
Office Action Summary		**Examiner**	**Art Unit**
		LUONG T. NGUYEN	2622

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 July 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4,5 and 7-19* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4,5 and 7-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed on 07/05/2007 have been fully considered but they are not

persuasive. In addition, since claim 9 was misinterpreted in the previous Office Action, the

claim 9 is now rejected under 35 U.S.C. 103(a) as being unpatentable over Ihara et al. (JP 2000-

287184) in view of Nakamura (US 6,917,968). Therefore, this Office Action is made non-final.

In re page 11, Applicants argue that Ihara et al. does not discloses, teach or suggest,

creating a relation table in the manner of amended independent claims 1, 7, 13, and 16.

In response, regarding claim 1, the Applicants amended claim 1with limitation "a relating

unit configured to create a relation table relating the information files stored in the information

storage unit to the image files stored in the image storage unit." The Examiner considers that

claim 1 as amended still does not distinguish from Ihara et al. Ihara et al. discloses an URL

table, as shown in Figure 17, paragraph [0052], is created and stored in CPU 131. The table

shown in Figure 17 shows a relation between the information files (i.e., URLs, such as

www.abc.co.jp, or www.music.co.jp) stored in the information storage unit to the and images

files (i.e., Products or contentA) stored in the image storage unit.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

3.   Claims 1, 7, 13, 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Ihara

et al. (JP 2000-287184).

Regarding claim 1, Ihara et al. discloses an image pickup device comprising:

an image pickup unit configured pick up a plurality of images of at least one object (CCD

video camera 22, figures 1, 3, 4, paragraph [0059]);

an image storage unit configured to store a plurality of image files corresponding to the

images picked up by the image pickup unit (VRAM 65, figure 8, paragraphs [0036], [0057],

[0058]);

connection unit connectable to the network (Internet 92, figure 1, paragraph [0017]);

an address storage unit configured to store a plurality of addresses corresponding to a

plurality of information files on the network set by a user in advance (server 95; Ihara et al.

discloses that a user can input URLs by operating a key board 4, this indicates that the URLs can

be set in advance by a user, figure 1, paragraphs [0017], [0032], [0068] - [0069]);

an information obtaining unit configured obtain the information files on the network

based on the address stored the address storage unit (CPU 52 detects global 2D code, paragraph

[0059]);

an information storage unit configured to store the information files obtained by the

information obtaining unit (CPU 131 stores URL table, figure 17, paragraph [0052]);

a relating unit configured to create a relation table relating the information files stored in

the information storage unit to the image files stored in the image storage unit (Ihara et al.

discloses an URL table, as shown in figure 17, paragraph [0052], is created and stored in CPU

131. The table shown in figure 17 shows a relation between the information files (i.e., URLs,

such as www.abc.co.jp, or www.music.co.jp) stored in the information storage unit to the images

files (i.e., Products or contentA) stored in the image storage unit).

Regarding claim 7, Ihara et al. discloses an image recording method comprising:

connecting an image pickup device through a network (combination of CCD video

camera 22 and personal computer 1 is connected to Internet 92, figures 1-3, 8, paragraph [0017])

to a site designated by an address stored in a memory of the image pickup device, said address

being stored in advance by a user (the URLs are stored in hard disk drive 56 of the personal

computer 1, figures 1-3, 8, paragraph [0027] - [0032]; Ihara et al. discloses that a user can input

URLs by operating a key board 4, this indicates that the URLs can be set in advance by a user,

figure 1, paragraphs [0017], [0032], [0068] - [0069]);

obtaining an information file from the site through the network (CPU 52 detects global

2D code, paragraph [0059]);

storing the obtained information file (CPU 131 stores URL table, figure 17, paragraph

[0052]);

creating a relation table relating the obtained information file to a picked up image file

(Ihara et al. discloses an URL table, as shown in Figure 17, paragraph [0052], is created and

stored in CPU 131. The table shown in Figure 17 shows a relation between the information file

(i.e., URLs, such as www.abc.co.jp, or www.music.co.jp) to the images file (i.e., Products or

contentA)).

Regarding claim 13, Ihara et al. discloses an image recording system comprising:

an image recording unit connectable to a network and configured to record an image data

file of an object (CCD video camera 22, which is included in personal computer 1, is connected

to Internet 92, figure 1, paragraph [0017], [0030]);

server unit (server 95, figure 1, paragraphs [0017], [0032]) configured provide

information file through the network,

wherein, when the image recording unit records the image data file, the image recording

unit creates a relation table relating the image data file to the information file (Ihara et al.

discloses an URL table, as shown in Figure 17, paragraph [0052], is created and stored in CPU

131. The table shown in Figure 17 shows a relation between the information file (i.e., URLs,

such as www.abc.co.jp, or www.music.co.jp) to the images file (i.e., Products or contentA)),

which is obtained from the server unit by the image recording unit through the network based on

an address of the information file, said address being set by user in advance (Ihara et al. discloses

that a user can input URLs by operating a key board 4, this indicates that the URLs can be set in

advance by a user, figure 1, paragraphs [0017], [0032], [0068] - [0069]).

Regarding claim 16, Ihara et al. discloses an image recording system comprising:

an image recording unit (personal computer 1, figures 1, 3, 4, paragraph [0059])

configured to record image data files of at least one object;

a plurality of server units (server 95, servers 94-1, 94-2, figure 1, paragraphs [0017],

[0032], [0069]) configured to provide information files through the network;

a network access unit connected image recording unit and configured to be connected to

the server units through the network (Internet 92, figure 1, paragraph [0017]), to obtain the

information files from the server units through the network based on a plurality of addresses of

the information files, (CPU 52 detects global 2D code, paragraph [0059]), and to transfer the

obtained information files to the image recording unit (paragraph [0046]), said address being set

by user in advance (Ihara et al. discloses that a user can input URLs by operating a key board 4,

this indicates that the URLs can be set in advance by a user, figure 1, paragraphs [0017], [0032],

[0068] - [0069]);

wherein the image recording unit records the transferred information files and creates a

relation table relating the recorded image data files and the recorded information files (Ihara et

al. discloses an URL table, as shown in Figure 17, paragraph [0052], is created and stored in

CPU 131. The table shown in Figure 17 shows a relation between the information file (i.e.,

URLs, such as www.abc.co.jp, or www.music.co.jp) to the images file (i.e., Products or

contentA)).

Regarding claim 17, Ihara et al. discloses the image recording unit records the transferred

information file in association with recorded image data files based on an obtaining date of the

transferred information files and a pick-up date of the recorded image data files (paragraph

[0041]).

Regarding claim 18, Ihara et al. discloses wherein the image recording unit records

information files in association with recorded image data files that have a same obtaining date

same as the pick-up date of the recorded image data files (paragraph [0041]).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 2, 8, 9, 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Ihara et al. (JP 2000-287184) in view of Nakamura (US 6,917,968).

Regarding claim 2, Ihara et al. fails to specifically disclose a setting unit configured to set

time interval at which the information obtaining unit obtains information files on the network

based on the address stored in the address storage unit.

However, Nakamura teaches a communication time interval setting unit 615 sets the time

intervals at which variations information is transmitted to the WWW servers 700a (figure 9,

column 12, lines 14-26). Therefore, it would have been obvious to one of ordinary skill in the art

at the time the invention was made to modify the device in Ihara et al. by the teaching of

Nakamura in order to set interval for transmitting different information. This allows the

transmission of different information at different time interval.

Regarding claims 8, 14, Ihara et al. fails to specifically disclose cyclically obtaining the information file with a predetermined time interval.

However, Nakamura teaches a communication time interval setting unit 615 sets the time intervals at which variations information is transmitted to the WWW servers 700a (figure 9, column 12, lines 14-26). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Ihara et al. by the teaching of Nakamura in order to set interval for transmitting different information. This allows the transmission of different information at different time interval.

Regarding claim 9, Ihara et al. disclose wherein a plurality of respective addresses of a plurality of sites are stored in the memory in advance by the user (server 95; Ihara et al. discloses that a user can input URLs by operating a key board 4, this indicates that the URLs can be set in advance by a user, figure 1, paragraphs [0017], [0032], [0068] - [0069]), and a plurality of information files are obtained through the network from the sites (CPU 52 detects global 2D code, paragraph [0059]); wherein the obtained information files are related to a plurality of picked up image files by the relation table (Ihara et al. discloses an URL table, as shown in figure 17, paragraph [0052], is created and stored in CPU 131. The table shown in figure 17 shows a relation between the information files (i.e., URLs, such as www.abc.co.jp, or www.music.co.jp) stored in the information storage unit to the images files (i.e., Products or contentA) stored in the image storage unit); and Nakamura discloses wherein a respective predetermined time interval is determined for each of the plurality of addresses based on a content of the respective

information files to be obtained from the respective sites designated by the addresses (figure 9, column 12, lines 14-26);

Regarding claim 15, Ihara et al. discloses a plurality of respective addresses of a plurality of information files are set in advance by the user (Ihara discloses that a user can input URLs by operating a key board 4, this indicates that the URLs can be set in advance by a user, figure 1, paragraphs [0017], [0032], [0068] - [0069]), and the image recording unit obtains the plurality of information files through the network (CPU 52 detects global 2D code, paragraph [0059]); and Nakamura discloses the predetermined time interval is determined for each information to be obtained based on a content of the information (column 12, lines 14-26).

6.   Claims 4, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ihara et al. (JP 2000-287184) in view of Quinn et al. (US 6,449,617).

Regarding claims 4, 10, Ihara et al. fail to specifically disclose a browser file creating unit configured to create files including the image files stored the image storage unit and information files related to the image files in a format which can be browsed by a terminal accommodating a browser software.

However, Quinn et al. teaches software browsers and file in an application program used to create the HTML file while viewing the HTML file in a browser program (column 1, lines 5-10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Ihara et al. by the teaching of Quinn et al. in order to allow a user edits an electronic file (column 2, lines 60-63).

7.   Claims 5, 11, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ihara et

al. (JP 2000-287184) in view of Nakamura (US 6,917,968) further in view of Quinn et al. (US

6,449,617).

Regarding claims 5, 11, 12 Ihara et al. and Nakamura fail to specifically disclose a

browser file creating unit configured to create files including the image files stored in the image

storage unit and the information files related to the image files in a format which can be browsed

by a terminal accommodating a browser software.

However, Quinn et al. teaches software browsers and file in an application program used

to create the HTML file while viewing the HTML file in a browser program (column 1, lines 5-

10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the device in Ihara et al. by the teaching of Quinn et al. in order to

allow a user edits an electronic file (column 2, lines 60-63).

8.   Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ihara et al. (JP

2000-287184).

Regarding claim 19, Ihara et al. fails to disclose wherein the image recording unit outputs

the recorded image data files and the obtained information files in a form to be printed out all at

once. However, Ihara et al. discloses 2D code is superimposed on the image of a program

(paragraph [0077]), and noted that they are stored in the personal computer 1 in a form of a file.

It would have been obvious to one of ordinary skill in the art to connect the personal computer to

a printer in order to print image data file.

Conclusion

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T. NGUYEN whose telephone number is (571) 272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID L. OMETZ can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN
11/07/07

**LUONG T. NGUYEN
PATENT EXAMINER**